



Honorable Linda B. Riegle  
United States Bankruptcy Judge



**Entered on Docket  
January 17, 2012**

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**AMENDED ORDER GRANTING  
USACM TRUST'S MOTION TO  
AMEND COURT'S ORDERS  
SUSTAINING OMNIBUS  
OBJECTIONS RE THE HFAH  
CLEAR LAKE LOAN (AMENDED  
TO CORRECT INCORRECT  
CLAIM NUMBERS)**

**Hearing Date: November 15, 2011  
Hearing Time: 9:30 a.m.**

The Court considered the USACM Liquidating Trust's Motion To Amend Court's Orders Sustaining Omnibus Objections Re The HFAH Clear Lake Loan (The "Motion") [DE 9390] at the hearing held on November 15, 2011. The Trust moved to amend **Exhibit A** attached to each of the Court's Order regarding the Fourth, Sixth, Seventh, Eighth, Ninth and Tenth Omnibus Objection to Proofs of Claim Based Upon an Investment in the HFAH Clear Lake Loan [DE Nos. 8894, 8896, 8897, 8898, 8899, 8900, respectively]

(“The Orders”). Appropriate notice of the Motion was given and no responses were filed.

Good cause appearing,

**IT IS ORDERED:**

1. The Motion [DE 9390] is granted, and the Orders are amended as they relate to the following HFAH Clear Lake loan claims:

2. Proof of Claim No. 10725-01892 in the amount of \$100,000.00 filed by Dalton Trust Dtd 1/7/94, is allowed in the amount of \$20,000.00 (20%) and disallowed in the amount of \$80,000.00 (80%);

3. Proof of Claim No. 10725-01242 in the amount of \$60,000.00 filed by Johnson Family Trust 2/17/98, is allowed in the amount of \$12,000.00 (20%) and disallowed in the amount of \$48,000.00 (80%);

4. Proof of Claim No. 10725-02329 in the amount of \$50,000.00 filed by Marion C Sharp Trust is allowed in the amount of \$10,000.00 (20%) and disallowed in the amount of \$40,000.00 (80%);

5. Proof of Claim No. 10725-01510 in the amount of \$50,000.00 filed by Dovanidis and Dimitra Panagiotis, is allowed in the amount of \$10,000.00 (20%) and disallowed in the amount of \$40,000.00 (80%);

6. Proof of Claim Nos. 10725-01501 through 10725-01509 filed by Dovanidis and Dimitra Panagiotis, are allowed in the amount of \$0.00;

7. Proof of Claim No. 10725-01644 in the amount of \$50,000.00 filed by David Sexton is allowed in the amount of \$10,000.00 (20%) and disallowed in the amount of \$40,000.00 (80%); and

8. Proof of Claim No. 10725-01885 in the amount of \$50,000.00 filed by Melody J Violet is allowed in the amount of \$10,000.00 (20%) and disallowed in the amount of \$40,000.00 (80%).



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2 PREPARED AND RESPECTFULLY SUBMITTED BY:

3 **LEWIS AND ROCA LLP**  
4

5 By /s/ John Hinderaker (AZ #018024)

6 Robert M. Charles, Jr.

7 John Hinderaker (*pro hac vice*)

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

\_\_\_\_\_ This Court has waived the requirement set forth in LR 9021(b)(1).

xxxx No party appeared at the hearing or filed an objection to the motion.

\_\_\_\_\_ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

\_\_\_\_\_ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: <u>Augie Landis</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:  
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)  
Attorneys for USACM Liquidating Trust

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